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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/464,784

12/17/1999

MICHAEL B. FREEMAN

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06/18/2004

MCI, INC

TECHNOLOGY LAW DEPARTMENT
1133 19TH STREET NW, 10TH FLOOR
WASHINGTON, DC 20036

EXAMINER

CHOW, CHARLES CHIANG

ART UNIT

PAPER NUMBER

2685

22

DATE MAILED: 06/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/464,784

Applicant(s)

FREEMAN ET AL.

Examiner

Charles Chow

Art Unit

2685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-31,33,35 and 36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-4,6-31,33 and 35 is/are allowed.
- 6) ☒ Claim(s) 36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

**Office Action for Amendment
Received on 4/8/2004**

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jaiswal et al. (US 6,002,754) in view of Alesio (US 5,481,600).

Regarding **claim 36**, Jaiswal et al. (Jaiswal) teaches the method for managing call billing records (the billing processing steps 1-4 in abstract, summary of invention).

Jaiswal teaches the call event records being created by a local exchange carrier (the intelligent peripheral 3 is the local exchange carrier, having voice collection process 31, Fig. 3, for collecting raw billing data in col. 4, lines 40-50; col. 4, lines 26-39. Raw data has billing service parameters for type of service, time of day, length of service, telephone number in col. 4, lines 26-39. The voice collection process 31 is equivalent to voice peripheral 21 which is an element in intelligent peripheral IP3 in Fig. 1, in col. 4, lines 8-13. IP3 is the peripheral subsystem, in abstract, which provides billing information to central office communication network).

Jaiswal teaches the outputting a file representing the call billing data in a second format (the format process 40 converts raw billing data into a formatted data object for outputting to central office, abstract, col. 4, lines 41-54; Fig. 3 format process 40 outputs GDI to billing system 60 of the third party), based on the call event records (the

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converting billing data as specified in the formatting object in abstract; the specified record format for billing protocol, such as AMA format using Amadns, col. 4, lines 51-58), transmitting the output to a co-carrier billing system (the outputting to third party in col. 6, lines 46-47; the outputting to customer supplied billing system 60 in col. 4, lines 51-54, Fig. 3).

Jaiswal does not teach the retrieving a directory of call event records associated with a call billing data in a format. However, Alesio teaches the above claimed features (the local interexchange records AMA and EMI records, the message records accumulated in AMA recording system 111 are polled periodically and downloaded to EMI formatting system 121 through reformatting AMA records into standard EMI format in col. 3, lines 44-50; the receiving EMI call event records in step 501, Fig. 5; the retrieving an account record for each EMI record in step 502). Alesio teaches the billing settlement between LEC switch 102/interexchange carrier and communication carrier network 112 in Fig. 1. Alesio teaches an improved technique such that call service charge can be billed efficiently with less delay (col. 1, lines 12-39). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Jaiswal with Alesio's receiving EMI records and retrieving corresponding account record for each EMI record, such that the call service charge could be billed to subscriber's account efficiently with less delay.

Reason for Allowance

2. Claims 1-4, 6-31, 33, 35 are allowable over the prior art of record.

The following is the examiner's statement for the reasons of allowance:

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The above claims are allowable over the prior art of record because the cited references fails to disclose singly, particularly, or in combination, the subject matter, filed on 12/17/1999, for a system, method, apparatus, for managing call billing records for users of signaling network operative to carry user calls, comprising a gateway interfacing the signaling network with an internet service provider and a local exchange carrier and operative to collect call billing data from the signaling network in a first data structure format; and a network processor operative to receive the collected call billing data in the first data structure format from the gateway, convert the collected call billing data from the first data format to a second data structure format, access a directory of call event records associated with the call billing data in the first data structure format within the gateway; generate an output file representing the call billing data in the second data format based on the call event records, wherein the second data structure includes default values for header fields and trailer fields; and transmit the output filer to a data network for billing processing by a co-carrier access billing system for settlement with the internet service provider and the local exchange carrier, as shown in the independent claims 1, 10, 17, 22. The dependent claims are also allowable due to their dependency upon the independent claims.

The closest prior art to Cameron et al. (US 6,317,490 B1) teaches a real time billing information service for providing billing account summary information queried by subscriber, in a telecomm. network (abstract, Fig. 1-7, col. 1, lines 35-50), having billing adminstrator 10 for processing billing data based on the rate table 60 (Fig. 6), retrieving account detail from account table (Fig. 3-4), having inter-exchange carrier, local exchange carrier, col. 2, line 61 to col. 3, line 4). Cameron et al. does not

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teach the gateway interfacing the signaling network with an internet service provider, the converting collected call billing data from the first data format to a second data structure format, the generate an output file representing the call billing data in the second data format based on the call event records, wherein the second data structure includes default values for header fields and trailer fields; and transmit the output filer to a data network for billing processing by a co-carrier access billing system for settlement with the internet service provider and the local exchange carrier.

Other considerations have been made to the following relevant prior arts. They are teaching the above claimed features.

Doherty et al. (US 5,333,184) teaches billing of a subscriber's call based on the different pirmary interexchange carrier indicator PIC, in the exchange message interface EMI, for treating differently about the billing charge (abstract, Fig. 1-2, Fig. 5-6, col. 1, lines 6-8, col. 1, line 52 to col. 2, line 25), having the translating of the AMA record format to EMI format (col. 3, lines 25-48). Doherty does not teach the gateway interfacing the signaling network with an internet service provider, the wherein the second data structure includes default values for header fields and trailer fields; and transmit the output filer to a data network for billing processing by a co-carrier access billing system for settlement with the internet service provider and the local exchange carrier.

Walker et al. (US 5,949,875) teaches billing collection system for user service provided over computer data network (abstract, Fig. 1-2, Fig. 7-15), the internet (col. 4, lines 1-8; col. 8, lines 1-3), having the collecting and transferring billing information to local exchange company LEC for distributing phone bill (col. 7, lines 40-50; col. 9, line 65 to col. 10, line

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15). Walker does not teach the converting collected call billing data from the first data format to a second data structure format, the generate an output file representing the call billing data in the second data format based on the call event records, wherein the second data structure includes default values for header fields and trailer fields; and transmit the output filer to a data network for billing processing by a co-carrier access billing system for settlement.

Response to Arguments

3. Applicant's arguments with respect to claim 36 have been considered but are moot in view of the new ground(s) of rejection.

Regarding applicant's amendment for the no teachings for claim 36, the ground of rejection has been changed by utilizing new references, Jaiswal et al. (US 6,002,754) and Alesio (US 5,481,600).

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee, and to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "comments on statement of reasons for allowance".

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Chow whose telephone number is (703)-306-5615.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (703)-305-4385.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to: (703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Charles Chow .C.C.

June 2, 2004.

Quochien B. Vuong 6/14/04

**QUOCHIEN B. VUONG
PRIMARY EXAMINER**